

21190/275A 3842 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
KATSUYUKI TOTSU
 Serial No.: 10/578,382
 Filed: May 5, 2006
 For: **COMBINATION OF SCREW WITH
 STABILIZED STRENGTH AND SCREW
 DRIVER BIT, AND HEADER PUNCH
 FOR MANUFACTURING THE SCREW
 WITH STABILIZED STRENGTH**

Art Unit: 3723
 Examiner: Alvin J. Grant

REQUEST FOR REFUND

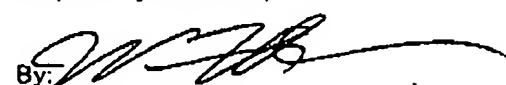
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Dear Sir:

Upon review of the Monthly Statement of Deposit Account dated 4-30-08(copy enclosed), an error was found. In particular, on March 26, 2008, Applicant filed an amendment (copy enclosed) and requested that a one month extension fee of \$60 (small entity) be charged to Applicant's Deposit Account. However, a charge of \$120 (fee code 1251) for a large entity one month extension fee was erroneously assessed to the account of the undersigned. Since Applicant is entitled to Small Entity status, Applicant respectfully requests a refund in the amount of \$60 as a credit to QUITINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

By:


 William L. Androlia
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PAGE 2/6 * RCVD AT 1/6/2009 6:33:16 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/2 * DNIS:2736500 * CSID:2134433094 * DURATION (mm:ss):01:2015120.00				

REMARKS

Applicant has amended the claims 1, 9, 10, 11, 12, 14, 15, 16, 18, 19 and 20, added new claim 23 and canceled the claims 2 through 8, 13, 17, 21 and 22. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected the claims 1, 2, 4 through 6 and 8 through 11 under 35 USC 102 as being anticipated by Borgeson stating that Borgeson discloses a screw having a head provided with a bit engaging groove that is formed in a Y shape divided into three substantially equal parts in a circumferential direction at a specified radial distance from a central portion of the screw head, the groove widths of the respective grooves extend in a radial direction from a central portion of the bit engaging are formed so that the widths gradually expand, thus producing substantially equal intervals with a width dimension of boundary portions which are between respective adjacent branching grooves and respective outer circumferential end wall surfaces of the bit engaging grooves are formed in a substantially perpendicular attitude to a specified depth from an opening edge part and are then displaced downward to a central portion of a screw neck from perpendicular lower edge portions, with an intersecting central portion being formed as a substantially circular conical bottom surface, and respective outer circumferential end wall surfaces of the bit engaging groove are formed so that opening edge part sides of the wall surfaces expand in width at a specified angle and are substantially perpendicular to a specified depth and are then displaced outward toward a central portion of a screw net from perpendicular lower edge portions.

In reply thereto, Applicant would first like to point out the features of Applicant's invention which are shown in Figures 1 through 4 and particularly claimed by Applicant's claim 1. In particular these features are:

- A. A bit engaging groove divided into three substantially equal parts in the circumferential direction to form a Y shape (see Figure 1 of Applicant's application);
- B. The groove width (d) of the respective branching bit engaging grooves (12A-12C) extending in the direction of the radius (r) from the central portion of the bit engaging groove (12) are formed so that the width gradually expands, thus causing the width (d) to be

substantially equal to the width dimension (d') of the boundary portions (13A-13C) which are between the respective adjacent branching grooves (see Figure 1 of Applicant's application);

C. The respective outer circumferential end wall surfaces (14) of the bit engaging groove (12) are formed so that these wall surfaces (14) are substantially perpendicular to a specified depth from the opening edge part (12a), and the step parts (12c and 12d) which are displaced at an inclination downward toward the central portion of the screw neck (10b) from the perpendicular lower edge portion (12b) are respectively provided; and

D. The boundary portions (13A-13C) between the respective branching grooves of the bit engaging groove (12) are formed so that these boundary portions are formed by a respective planer side wall surfaces that intersect at obtuse angles showing left-right symmetry with respect to the respective branching grooves in the central portion of the bit engaging groove (12).

With the above in mind, Applicant has carefully reviewed Borgeson and respectfully submits that relative to Applicant's claim 1, whose features are described above, Borgeson does not disclose the particular features B through D described above and as is shown in the Figures 1, 2, 4, 5 and 6 of Borgeson.

In addition, Applicant would like to point out the particular features of Applicant's amended claim 9 which particularly relates to the Figures 9 through 12 of Applicant's application. In particular these features comprise the features A through D described relative to Applicant's amended claim 1 above and includes the additional feature as follows:

E. The bottom of the intersecting central portion of the respective inclined step parts (12c) of the bit engaging grooves is formed at a bottom surface (16) which is substantially a circular recessed part.

In addition to the differences discussed above between Applicant's invention and Borgeson, Applicant respectfully submits that Borgeson does not disclose this additional feature.

In view of the above, therefore, Applicant respectfully submits that Borgeson does not disclose each and every element of Applicant's invention as claimed and accordingly the claims 1, 9, 10 and 11 are not anticipated by Borgeson.

The Examiner has further rejected the claims 3, 7 and 12 through 22 under 35 USC 103 as being obvious over Borgeson in view of Kaneko et al. stating that Borgeson describes

all of the present invention but fails to specifically disclose the bit engaging groove being formed so that the boundary portions are adjacent respective planer side wall surfaces that intersect at an obtuse angle or disclose a screwdriver bit comprising vane parts being formed on a tip end blade part and having end edge parts; Kaneko et al. teaches grooves being formed so that the boundary portions are adjacent respective planer side wall surfaces that intersect at obtuse angles so as to maximize the contact surfaces between the driver and the screw head and further discloses a bit comprising vane parts being formed on the tip end blade part and having end edge parts so as to match the profile of the interior surface of the screw head; and it would have been obvious to one of ordinary skill in the art to modify Borgeson in view of Kaneko et al.

In reply to this rejection, Applicant would like to incorporate by reference his comments above concerning Borgeson. In addition, Applicant has carefully reviewed Kaneko et al. and respectfully submits that Kaneko et al. discloses a modified Philips screw tightener which has four grooves arranged in a plus sign. Accordingly, Applicant respectfully submits that the teachings of Kaneko et al. would not apply to a screw driver bit such as Applicant's invention and would not be properly combinable with Borgeson which has three, not four grooves. In addition, Applicant's further review of Kaneko et al. indicates that it does not disclose the elements A through C and E described above. Still further, Applicant respectfully submits that Kaneko et al. does not disclose the header punch used to manufacture the screw with stabilized strength of Applicant's invention which is claimed in Applicant's claims 18 through 22 and new claim 23.

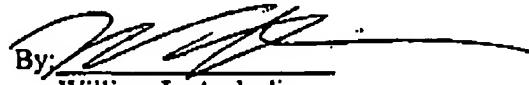
In view of the above, therefore, Applicant respectfully submits that not only is the combination suggested by the Examiner not Applicant's invention but also the combination suggested by the Examiner would not be obvious to one of ordinary skill in the art. Therefore, Applicant respectfully submits that the claims 12, 14 through 16, 18 through 20 and 23 are not obvious over Borgeson in view of Kaneko et al.

Applicant further respectively and retroactively request a one (1) month extension of time to respond to the Office Action and respectfully requests that the extension fee in the amount of \$60.00 be charged to QUTNN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this
Amendment or required by any requests for extensions of time to QUINN EMANUEL
DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

By: 
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